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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/613,113 | 07/10/2000 | Dirk Husemann | SZ-9-99-017 (728-167) | 8808 |
| 7590 | 08/09/2006 | | EXAMINER | |
| Paul J Barrese Dilworth & Barrese 333 Earl Ovington Boulevard Uniondale, NY 11553 | | | HUYNH, BA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2179 | |

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 09/613,113 | Applicant(s) HUSEMANN ET AL. | |
| | Examiner Ba Huynh | Art Unit 2179 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's IDS submission filed on 7/10/06 has been entered.

Claim Rejections - 35 USC § 102

1. Claims 1-2, 4-6, 9-11, 15-22 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,466,971 (Humpleman et al).

As for claim 1, 16: Humpleman et al teach a computer implement method and corresponding system for controlling a first computer device having limited user interface using a remote second computer, whereby the computers communicate via a wireless communication channel (1:61-67; 2:39-63) and support a common communication protocol (5:5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting the limited user interface information from the first computer device 14 to the second computer 12 (5:46-50),

providing an extended user interface on the at least one second computer device 12 corresponding to the limited user interface information (5:50-54), the extended

interface having more extensive capabilities than the capabilities of the limited interface of the first device 14, the extended user interface utilizing the transmitted limited user interface information and comprising extended functions so as to extend the capabilities of the limited user interface (10:28-36. I.e., the interface and function browsed and displayed in the GUI page).

receiving user input via the extended user interface at the second computer 12, transmitting user command information corresponding to the user input from the second computer to the first computer device, and executing the corresponding user commands at the first computer 14 (5:54-56).

- As for claim 2: The interface information is a standardized user interface description (6:11-19).
- As for claims 4, 17: The wireless communication channel is automatically established between the computers without user intervention (5:45-56).
- As for claims 5, 18: The second computer having a display for displaying the user interface (5:22-26).
- As for claims 6, 19: The second computer 14 comprising a keyboard (5:22-24).
- As for claims 9, 20: The second computer 14 browses the GCO structure data for displaying the user interface (5:47-49).
- As for claim 10: Humpleman's teaching of remote control (1:61-65) implicitly includes a wireless communication protocol for transmitting information between the computers.

- As for claim 11: A HTTP is used for transmitting user command information between the computers (12:6-9).
- As for claims 15, 21: Second computer initiates a request for GUI information (5:46-48).
- As for claim 22: The system further includes a third computer 96, which third computer 14 inherently includes a processor, a transceiver, and a memory for storing user interface information (5:39-64;figure 19).

Claim Rejections - 35 USC § 103

2. Claims 3, 7-8, 12-14, 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,466,971 (Humbleman et al).

- As for claim 3: Humpleman fails to clearly teach that the second computer transmits a list of services to the first computer prior to the first computer sending user interface information. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the transmission a list of services from the second computer to the first computer prior to the first computer sending user interface information to Humpleman's teaching of universal remote control. Motivation of the implementation is for advertising to the first computer the type of services the universal remote controller possesses.
- As for claims 7, 8: Humpleman fails to teach that a WML is used for transmitting the user interface information from the first computer to the second computer. However implementation of WML is well known in the art of user interface for devices having

limited user input capability. Thus it would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known WML to Humpleman's teaching of transmitting user interface information. Motivation of the combining is for the advantage of allowing the rendering device the flexibility to render the user interface in the best manner (see US patent #6,446,096, 5:18-29).

- As for claims 12, 13: Humpleman fails to clearly teach the confirmation signal. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the confirmation signal notifying the user the completion of an executed command.
- As for claim 14: Humpleman fails to clearly teach that the first computer initiates communication. However, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the first computer initiates communication by sending the GUI information. Motivation of the implementation is for speeding up the interaction.
- As for claim 23, 24: User interface information of the first computer 14 (device B) can be stored in an Interface library 80 at the third computer 96 and can be downloaded to second computer 12 (device A) responsive to a query from the second computer (18:25-37; figure 19). Each of the devices includes pointer and handler (16:59-62). Thus it appears that first computer 14 (device B) provides a pointer to second computer 12 (device A) indicating a memory location in the third device 96 where interface information of the first computer 14 is stored so that second computer can retrieved the interface information. Even if it is not, it would have been obvious to one of skill in the

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art, at the time the invention was made, to implement the providing of the pointer from first device 14 to second computer 12 for indication the store location of the user information. Motivation of the implementation is for the ease of processing speed by having the data readily available to the second computer.

- As for claims 25, 26: Humpleman et al teach a computer implement method and corresponding system for controlling a first computer device 14 having limited user interface using a remote second computer 12, whereby computers 14 and 12 communicate via a wireless communication channel (1:61-67) and support a common communication protocol (5:5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting the limited user interface information from the first computer device 14 to the second computer 12 (5:46-50),

providing an extended user interface at the second computer device corresponding to the user interface information (5:50-54), the extended interface having more extensive capabilities than the capabilities of the limited interface of the first device 14, the extended user interface utilizing the transmitted limited user interface information and comprising extended functions so as to extend the capabilities of the limited user interface (10:28-36. I.e., the interface and function browsed and displayed in the GUI page).

receiving user input via the extended user interface at the second computer 12, transmitting user command information corresponding to the user input from the second computer to the first computer device, and executing the corresponding user

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commands at the first computer 14 (5:54-56). Humpleman fails to clearly teach the confirmation signal. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the confirmation signal notifying the user the completion of an executed command.

Conclusion

This is a RCE of applicant's earlier Application No. 09/613,113. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2173
8/06/06

BA HUYNH
PRIMARY EXAMINER